

### REMARKS

The Applicants respectfully request reconsideration and allowance of Claims 1, 3 through 14, 16 through 22, and 24 through 42 in view of the above amendments and the following arguments.

### THE RESTRICTION REQUIREMENT

The Applicants have elected Claims 1 through 42 for prosecution in this application. Claims 43 through 47 are canceled without prejudice in view of the restriction requirement.

### THE CLAIMS ARE NOT ANTICIPATED OR OBVIOUS IN VIEW OF SCHNEIER

The Examiner rejected Claims 1-9, 11, and 14-42 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,871,398 to Schneier et al. (the "Schneier Patent" or "Schneier"), and rejected Claims 10 and 12-13 as being either anticipated by the Schneier Patent, or obvious over the Schneier Patent under 35 U.S.C. §103. The Applicants believe that the claims as amended are not anticipated or rendered obvious by the Schneier Patent.

The Schneier Patent discloses a system in which a player purchases a number of predetermined game outcomes which are used in games at a specific remote player terminal or HTV. The outcomes are transferred to the HTV in the form of an authenticatable game authorization message or AGAM. The AGAM may be transferred in a number of different forms such as by hard wire or wireless communications, by manual entry, by voice entry, or by some data carrier such as a smart card. In forms of the Schneier system in which the AGAM is manually entered at an HTV, the AGAM is first printed on a paper receipt at a retail location and

the player then manually reads the printed AGAM and enters it into the HTV in some fashion. Where a data carrier is used to transfer the AGAM to the HTV, the HTV includes a reader capable of reading the data making up the AGAM from the data carrier. AGAM creation is discussed in the Schneier Patent particularly beginning at Col. 9, line 57 through Col. 11, line 22. The manner of communicating the AGAM to the HTV is described in Schneier beginning at Col. 13, line 61 through Col. 14, line 32.

The following subsections will address the specific claim limitations in the various claims that are not taught or suggested by the Schneier Patent.

#### Claim 1

Claim 1 as amended above requires a process in which a game ticket is created in response to a ticket request from a player. In particular element (d) of Claim 1 requires applying a number of ticket indicia to a ticket substrate to produce the game ticket. Each ticket indicia must be directly identifiable and corresponds to a particular one of the game records so as to represent the respective game play outcome associated with the particular one of the game records. Element (e) of Claim 1 further requires applying machine readable game play information to the ticket substrate. This game play information specifies each game play outcome represented on the game ticket.

As indicated in the Schneier Patent background, traditional paper lottery tickets are preprinted with both ticket indicia showing a result and a validation number. However, this information is not printed on a ticket in response to a ticket request from a player. At the bottom of Column 13 and top of Column 14, the Schneier Patent discloses printing the encoded AGAM on a ticket to be manually entered in a HTV by the player or printing the AGAM on the ticket in

a machine readable form to be scanned in at a HTV. Schneier does not suggest applying the AGAM on a ticket in both a directly identifiable form and a machine readable form. Furthermore, it should be noted that the two application steps set out at elements (d) and (e) of Claim 1 apply different data, and not merely the same data in a different format. That is element (d) requires the application of game indicia, each representative of a respective game play outcome, while element (e) requires machine readable information specifying each game record corresponding to a respective outcome represented on the ticket by the game indicia. The reason for these differences is the fundamentally different operation of the present gaming system as opposed to the system described in the Schneier Patent. The Schneier Patent relies totally on the AGAM to communicate game results to a player via the player terminal/HTV. The present system displays results directly to the player via the ticket indicia, and uses the encoded game information to allow the player terminal to obtain the results associated with the ticket.

Because the Schneier Patent does not teach or suggest all of the elements set out in Claim 1, the Applicants submit that Claim 1 is entitled to allowance together with its dependent claims, Claims 3 through 13.

Claims 14, 22, 30, and 34

Independent Claims 14 and 22 each include limitations similar to those set out in Claim 1, but in program product and system form respectively. Independent Claims 30 and 34 also include limitations similar to those set out in Claim 1 with respect to the application of directly readable ticket indicia and machine readable game play information to the game ticket in response to a player request. The Applicant submits that Claims 14, 22, 30, and 34 are entitled to allowance for the same reasons as set forth above with respect to Claim 1. The Schneier Patent

simply does not teach or suggest the method, program product, or system elements for applying both the ticket indicia and the game play information on the ticket substrate in response to a ticket request from a player.

The Applicants therefore submit that Claims 14, 22, 30, and 34 are not anticipated or rendered obvious by the Schneier Patent and are entitled to allowance together with their respective dependent claims.

Claim 38

Independent Claim 38 is directed to a gaming system utilizing a number of stored game records similar to the stored game records described in the other independent claims. The system includes a point of sale component for receiving a game ticket request and play quantity from a player; and a game ticket dispenser for applying a number of directly identifiable ticket indicia to produce a game ticket similar to that described in the other independent claims. The system of Claim 38 also includes a ticket data storage device for storing a set of ticket data which is correlated to a ticket identifier and identifies each game record represented on the game ticket by the ticket indicia. Additionally, Claim 38 requires at element (d):

a player terminal operatively connected for communication with the ticket data storage device, the player terminal for communicating ticket usage information to the ticket data storage device in response to each game play input entered by a player at the player terminal.

Although the Schneier Patent uses remote player terminals or HTVs, these remote devices do not maintain communications with any other part of the system during the course of play. Rather, the HTVs allow the player to remotely see the outcomes encoded into the AGAM

transferred to the HTV, and then generate a redemption request message to enable players to cash out winnings. The Schneier Patent certainly does not teach or suggest the player terminal required at element (d) of Claim 38.

It is noted that gaming systems which include players terminals that communicate with a central server on every game play are certainly well known in the art. The system shown in U.S. Patent No. 6,524,184 is an example of such a system. However, the Applicants submit that the combination of a ticket dispensing device such as that set out at element (b) of Claim 38 in combination with the player terminal and other elements of Claim 38 are neither taught nor suggested by the prior art. Thus, the Applicant submits that Claim 38 is entitled to allowance together with its respective dependent claims, Claims 39 through 42.

#### CLAIMS 10, 12, AND 13

As indicated above, the Examiner rejected Claims 10, 12, and 13 as being obvious in view of the Schneier Patent. Each of these claims depends ultimately from Claim 1 and thus should be allowable as being dependent upon an allowable base claim.

CONCLUSION

For all of the above reasons, the Applicants respectfully request reconsideration and allowance of Claims 1, 3 through 14, 16 through 22, and 24 through 42.

If the Examiner should feel that any issue remains as to the allowability of these claims, or that a conference might expedite allowance of the claims, he is asked to telephone the undersigned attorney.

Respectfully submitted,

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CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, (Fax No. 703-872-9302) on June 27, 2003.

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